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EXAMINER
NGUYEN, THAI

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NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 November 2009*.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16* is/are pending in the application.
   4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-16* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on *05 July 2007* is/are: a)☒ accepted or b)☐ objected to by the Examiner.
   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 112

1.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

2.   Claims 1, 4, 5, 6, 11 are rejected under 35 U.S.C. 112, second paragraph, as

being indefinite for failing to particularly point out and distinctly claim the subject matter

which applicant regards as the invention.

3.   Claim 1 recites the limitation "the transfer" in line 1, "the basis" in line 6, "the

value" in line 7. There is insufficient antecedent basis for these limitations in the claim.

4.   Claims 2, 3 claim dependency from claim 1 and are rejected on similar ground.

5.   Claim 4 recites the limitation "the basis" in line 7. There is insufficient antecedent

basis for this limitation in the claim.

6.   Claim 5 recites the limitation "the basis" in line 8. There is insufficient antecedent

basis for this limitation in the claim.

7.   Claim 6 recites the limitation "the transfer" in line 1, "the basis" in line 5, "the

value" in line 6. There is insufficient antecedent basis for these limitations in the claim.

8.   Claim 11 recites the limitation "the transfer" in line 2, "the basis" in line 6, "the

value" in line 6. There is insufficient antecedent basis for these limitations in the claim.

Claim Rejections - 35 USC § 103

9.   The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

10.   Claims rejected under 35 U.S.C. 103(a) as being unpatentable over Wiles et al

(USPN 2002/0078261) in view of Menzies et al (USPN 2002/0091809) (hereafter

referenced as Wiles and Menzies respectively).

Regarding claim 1,

A method for minimizing a bandwidth required for the transfers of communication network administration

information, said information relating to objects pertaining to hardware, software or network operation

elements, catalogued in an administration information base and with each of which is associated a formal

language specification, comprising the steps of:

generating on the basis of said specification for each object, a pair of words for which

the value of first word pertains to an indication of the object and the value of second word pertains to an

information length of the object (Wiles discloses the process wherein an Information

Database Plus (IDB+) component 10 (translator module), based on a MIB file, IDBGen

utility, and IDB+ configuration file, generates an IBD+ module consists of a Module

Source file and Module Include file ([0031, 0036], FIG. 5B). Wiles discloses the

generated Module Source file includes a Translation table, Object Descriptor table, and

Object ID [0027, 0036]. Wiles discloses the Object Descriptor table has a predefined

structure having information about each object including ID/type of data object (first

word) and valid range of values/size of data object (second word) (pair of word) [0028]).

Wiles discloses for each entry of object (including ID/type) in the Object Descriptor table

that the Translation table has pointers to, there is a corresponding entries in the control

data having an O_Name and pointer to the Translation table (ordered sets) ([0027,

0028], FIG. 3 #43, #44);

Wiles however fails to disclose constructing a template comprising an identifier of

said template, said template indicating an ordered string of information to be sent

corresponding to said template

constructing a template comprising an ordered set of pairs of words generated and an identifier of said

template, said template indicating an ordered string of information to be sent corresponding to said

template (Menzies discloses a distributive computing environment utilizing LAN, WANS,

Internet etc. over underlying protocols such as TCP [0025, 0028-0032]. Menzies

discloses the meta-schema objects of a Common Information Model (CIM) are

components used to model a managed object, where the objects are classes,

instances, properties, and qualifiers [0040, 0042, 0045]. A class is a named (identifier

of said template), structured data type with property fields (words). Menzies discloses

SNMP MIB mapping where each MIB is extracted from a repository and translated by a

SMI compiler into a CIM object class (constructing template), which is then provided to

the CIM Object Manager (CIMO, sever) [0063-0067, 0033, 0034].

Since Wiles and Menzies are both related to MIB object management, it would

have been obvious to one skilled in the art at the time of the invention to combine

Menzies's teaching of translating object data into named class template with property

field into Wiles' system with the purpose of having a named template consisting of pairs

of words representative of object properties making it possible to send information

corresponding to the template to simplify the complexity of MIB tree-based structures by

mapping the MIB objects into abstract user-intuitive CIM class.

Regarding claim 2,

The method as claimed in claim 1, further comprising the steps of:

traversing a tree of the administration information base each node of which is associated with an object

(The system as disclosed by Wiles and Menzies in claim 1, Menzies further discloses

each network device provides information according to the SNMP standard for

managing devices and for representing management data via MIB, which are complex

tree-based structures [0064]. Menzies further discloses the mapping process in the SMI

compiler for processing the MIB tree structure which determines the type of each MIB

object [0070]. Menzies further discloses detection of the end of an enumerated object,

then looping back as necessary to repeat the mapping process for the other objects of

the MIB (traversing tree of the MIB) [0073]. Additionally Menzies discloses a correction

mechanism for creating a range table which corresponds to an ordered table of OID

ranges in a MIB group/subgroup, and traversing the tree to perform such correlation

[0078, 0088]);

testing at each node whether the object is of scalar or table type (Menzies further discloses MIB

objects are enumerated and then determined whether the type is scalar or table [0070]);

constructing the template by appending the word pair generated to the template if the object is of scalar

type (Menzies further discloses if the MIB objects is determined to be scalar, it is

translated into a CIM class wherein the object name and properties are placed in the

CIM class [0071]);

constructing another so-called table template if the object is of table type for the objects of the table

(Menzies further discloses if the object is determined to be a table type, the object is

translated into a CIM keyed class that is capable of describing more than one instance

[0072])

Regarding claim 3

The method of claim 1, further comprising the step of constructing a configuration template comprising

the pairs of words generated for objects with modifiable access ((The system as disclosed by

Wiles and Menzies in claim 1, Menzies further discloses mapping of

TRAP/NOTIFICATION type macro definitions corresponding to event notification [0074].

An event is a notification of a change in configuration or state of a management entity.

The TRAP/NOTIFICATION type macros are mapped to additional CIM classes.

Menzies discloses the use of qualifiers in CIM classes which are modifiers applied to a

class definition, an instance or a property, and may be user-defined [0048-49]. Menzies

discloses CIM qualifiers are used such as to correspond to an object's object type and

access information (pair of words generated for modifiable access) [0071]. Additionally,

Wiles discloses the use of an IDB configuration file that is created for an MIB file, which

is a configuration control file that may be customized for its associated MIB file

[0034,36]. The configuration file contains a series of configuration parameters. In

combination, Wiles and Menzies disclose construction of a configuration template

containing parameters/words associated with objects with modifiable access information

11.   Claims 4-6 and 11 are rejected upon the similar grounds provided in rejection of

claim 1.

12.   Claims 7 and 12 are rejected upon similar grounds provided in rejection of claim

2.

13.   Claims 8 and 13 are rejected upon similar grounds provided in rejection of claim

3.

14.   Claims 9, 10 and 14-16 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Wiles and Menzies, and in further view of Emaru et al.

(US2005/0021547) (hereafter referenced as Emaru).

Regarding claim 9,

The system as disclosed in claim 6, further comprising a supervisor module designed to collect
measurements and an exportation module designed to transmit at least one ticket of data pertaining to
these measurements to a server.

        The system as disclosed by Wiles and Menzies in claim 6, Wiles and Menzies

however fail disclose a supervisor module designed to collect measurements and an

exportation module designed to transmit at least one ticket of data pertaining to these

measurements to a server.

        Emaru discloses performance monitoring in a distributed system. Emaru

discloses collectors (supervisor module) 131,132 which collects performance data and

sends the collected data to the manager 130 (server) [0034-36]. Emaru discloses the

collectors supervise measurement target objects based on object ID [0043-45,50].

When messages are sent from one object to another, performance metrics are collected

by the collectors and added to a collected data-list 501 (ticket data) which is transmitted

to the manager. The contents of collected data-list 501 contain references to object IDs

and their performance metrics. The process of transmitting of the collected data-list 501

generated by the collectors to the manager (server) implies logic (exportation module)

designed to transmit the collected data to a server.

Since Wiles, Menzies and Emaru are analogous in the field of distributed

processing and thus combinable. It would have been obvious to one of ordinary skill in

the art at the time of the invention to enhance Wiles-Menzies' implementation of

generating pairs of words and templates indicative of objects and providing them to a

server, which Emaru's disclosure of a supervisor module which collects measurements

associated with objects and an implicit exportation module which transmits a collected

data-list to a server for the purpose of collecting and providing measurements regarding

transmission of objects and templates to a server with the motivation being to provide

performance monitoring of distributed systems regarding processing time and latency

so as to narrow down and minimize the bottleneck of performance to increase

efficiency.

Regarding claim 10,

The system as claimed in claim 9,wherein said exportation module is designed to transmit:

a data ticket comprising a reference to a template, preceded, in the transmission, by the template

referenced in said data ticket (The system as disclosed by Wiles, Menzies and Emaru in

claim 9, Menzies further discloses providing the named CIM object class (template) to

the CIMOM server [0065]. Emaru teaches the collected data-list (data ticket) is

generated after transmission of a message [0044]. Emaru discloses the collected data-

list 501 contains references to the object ID of which performance is measured [Fig 5-6,

0045-46]. In combination, Menzies and Emaru disclose a collected data-list (data ticket)

containing a reference to a object ID/class/template, proceeded in the transmission by

the named CIM object class sent to the CIMOM server).

15.   Claims 14 and 15 are rejected upon similar grounds provided in rejection of claim

9.

16.   Claim 16 is rejected upon similar grounds as provided in rejection of claim 10.

Response to Arguments

17.   Applicant's arguments filed on 9/09/2009 have been fully considered but they are

not persuasive.

18.   In the remarks, Applicant argues, in substance, that (1) Wiles fails to offer any

motivation to one of ordinary skill in the art to use a different protocol for transmission of

information pertaining to objects, as indicated in Applicant's specification, (2) Menzies

fails to disclose or suggest "constructing a template comprising an ordered set of pairs

of words generated on the basis of a formal language specification for each object", (3)

Menzies' "class (template) corresponds to one general object while the claimed

template corresponds to a plurality of objects".

19.   As to point (1), Applicant is incorrect. Independent claims 1, 2, 5, 6, 11, 14, 15

fail to disclose the use of a different protocol or any protocol in general. Claims are only

read "in light of specification". MPEP 2111.

20.   As to point (2), Applicant is incorrect. The limitation "words generated on the

basis of a formal language specification" are contained within the pre-ambles of the

independent claims and not necessary used to limit the claims.

21.   As to point (3), Applicant is incorrect. Menzies discloses the template can

contain multiple objects when the objects have the same parent object [0070].

Conclusion

22.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to THAI N. NGUYEN whose telephone number is (571)270-7632. The examiner can normally be reached on Monday - Friday 8AM - 5 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Avellino can be reached on 571-272-3905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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